

# Chevy Chase Village Board of Managers

October 8, 2012

## *Draft*

*Note: These draft minutes reflect the Board's actions only, and do not include testimony given by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance. An audio recording of this meeting is available on the Village website at [www.chevychasevillagedmd.gov](http://www.chevychasevillagedmd.gov) or by request to the Village office.*

## **BOARD OF MANAGERS**

Patricia S. Baptiste, Chair	Present
Peter T. Kilborn, Vice Chair	Present
Richard Ruda, Secretary	Present
Thomas H. Jackson, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Michael L. Denger, Assistant Treasurer	Present
David L. Winstead, Board Member	Present

## **STAFF**

Shana R. Davis-Cook, Village Manager	Present
John Fitzgerald, Police Chief	Present
Michael Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present
Jacqueline A. Parker, Public Safety Coordinator	Present

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

Ms. Patricia S. Baptiste, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:39 p.m.

**Approval of Minutes from the Board’s Regular Meeting held on September 10, 2012**

Action to approve the minutes of the Board’s regular meeting held on Monday, September 10, 2012.

*Mr. Crockett moved to approve the minutes from the Board of Managers’ regular monthly meeting held on September 10, 2012, as drafted.* Mr. Denger seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed.

**Approval of Minutes from the Board’s Executive Session held on September 10, 2012**

Action to approve the minutes of the Board’s Executive Session held on Monday, September 10, 2012.

*Mr. Crockett moved to approve the minutes from the Board of Managers’ Executive Session held on September 10, 2012, as drafted.* Mr. Denger seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed.

**Approval of Minutes from the Board’s Executive Session held on September 17, 2012**

1 Action to approve the minutes of the Board's Executive Session held on Monday, September 17,  
2 2012.

3  
4 *Mr. Crockett moved to approve the minutes from the Board of Managers' Executive Session held*  
5 *on September 17, 2012, as drafted.* Mr. Denger seconded the motion. Ms. Baptiste, Mr.  
6 Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of  
7 the motion. The motion passed.

8  
9 **Variance and Special Permit Requests**

10  
11 **A-6197 (Special Permit Request): Ms. Nancy Orvis & Mr. Michael Fistere, 12 West Irving**  
12 **Street**

13 Replace an existing concrete driveway, the garage apron of which would measure a maximum of  
14 twenty-three feet, seven inches (23'-7") feet in width.

15  
16 *Mr. Jackson moved to direct staff to draft a decision approving the special permit request to*  
17 *replace an existing concrete driveway, the garage apron of which would measure a maximum of*  
18 *twenty-three feet, seven inches (23'-7") in width.* Mr. Crockett seconded the motion. Ms.  
19 Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead  
20 voted in favor of the motion. The motion passed.

21  
22 **Treasurer's Report**

1 The Treasurer's Report was distributed to the Board prior to the meeting. No action was taken  
2 by the Board.

### 3 4 **Police Report**

5 The Police Report was circulated prior to the meeting. No action was taken by the Board.

### 6 7 • **Proposal for a Bait Car Program**

8 Chief Fitzgerald requested the support of the Board to establish a bait car program. He  
9 explained that Montgomery County Police Department has agreed to donate a vehicle to  
10 the project and that GEICO has pledged a \$4,000.00 grant to offset the costs of start up.  
11 Board discussion followed.

12  
13 *Mr. Crockett moved to approve to the bait car program as presented.* Mr. Denger seconded the  
14 motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr.  
15 Winstead voted in favor of the motion. The motion passed.

### 16 17 **Committee & Commission Appointments**

### 18 19 **Audit Committee**

- 20 • Presentation of the draft audited financial statements prepared by the independent  
21 auditing firm *Lindsey & Associates*.

1 Audit Committee member Gail Feldman of 18 Oxford Street reported that the committee had met  
2 to review the draft audit and provided minimal comments which have been incorporated into the  
3 draft circulated to the Board prior to the meeting. She expressed thanks to the Village Manager  
4 and Finance Director for their professional management of the Village's financial records  
5 resulting in an efficient auditing of the Village's books and a clean audit for the fiscal year that  
6 ended June 30, 2012. Bob Diss presented the draft audited financial statements for FY2012 on  
7 behalf of *Lindsey & Associates*. The final audit will be submitted to the State of Maryland by  
8 October 31, 2012. No action was taken by the Board.

9  
10 **ad hoc Design and Use Plan Group for the West Kirke Street/Laurel Parkway Triangular**  
11 **Public Right-of-Way**

12 Co Chairs Susie Eig of 34 West Kirke Street and Bliss Ryan of 5414 Grove Street presented their  
13 proposal to the Board, which did not represent a consensus of their committee. Ms. Eig and Ms.  
14 Ryan requested authorization to install a grove of Bald Cypress in the public right-of-way where  
15 West Kirke Street and Laurel Parkway converge and a supplemental appropriation in the amount  
16 of \$5,000.00 to purchase fifteen (15) Bald Cypress trees from Stadler Nursery.

17  
18 *Mr. Kilborn moved to approve the supplemental appropriation of no more than \$5,000.00 for the*  
19 *purchase of fifteen (15) Bald Cypress trees, provided that the committee submits for Board*  
20 *review a diagram of the area showing the location of the proposed trees and realigned sidewalk.*

21 Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Crockett, Mr. Denger,  
22 and Mr. Winstead voted in favor of the motion. Mr. Jackson abstained. The motion passed.

1   **Ethics Commission**

- 2           • Board Appointment of Brian Christaldi (Oliver Street) as Chair.

3  
4   *Mr. Denger moved to appoint Brian Christaldi to serve as Chair of the Village Ethics*

5   *Commission.* Mr. Kilborn seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr.

6   Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion  
7   passed.

8  
9   **Parks & Greenspaces Committee**

10   Ms. Kilborn presented a report outlining the committee's activities during the preceding months  
11   and their objectives for areas needing further attention. No action was taken by the Board.

12  
13   **Old Business & Status Reports**

14  
15   **Update on the District of Columbia's Potential Signalization of Chevy Chase Circle**

16   A report from the Village Manager was distributed to the Board prior to the meeting. No action  
17   was taken by the Board.

18  
19   **Board Discussion: Contract Mowing of Village Rights-of-Way**

20   A memo outlining the background, procedures and cost of the Village program for mowing the  
21   rights-of-way located between the sidewalk and curb ('green strip') was circulated to the Board  
22   prior to the meeting.

1 *Mr. Kilborn moved to propose the elimination of the right-of-way mowing service to the*  
2 *community to solicit residents' comments and feedback for further Board consideration. Mr.*  
3 *Crockett seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, and Mr.*  
4 *Crockett voted in favor of the motion. Mr. Denger and Mr. Winstead dissented. The motion*  
5 *passed.*

6  
7 **New Business**

8  
9 **Resolution No. 10-01-12:** An Ordinance to replace in its entirety Chapter 2 of the Chevy Chase  
10 Village Code to enact conflicts of interest standards and financial disclosure requirements  
11 equivalent to State requirements.

12  
13 Mr. Denger recommended the following amendments:

- 14  
15 • Page 24, subsection 2-6(g) to add the following to the end of the subsection:  
16 “...receipt, **except in the case of unsuccessful candidates for public office in which**  
17 **case such statements shall be retained for sixty (60) days after the election is**  
18 **final.**”  
19  
20 • Page 29, section 2, (2): to reflect that the ordinance shall take effect “**forty-five (45)**  
21 **days**” rather than fifteen (15) days following receipt of the State Ethics Commission’s  
22 final approval.  
23

1 *Mr. Denger made a motion to approve Resolution No. 10-01-12, as amended. Mr. Crockett*  
2 *seconded the motion. Ms. Baptiste, Mr. Ruda, Mr. Crockett, Mr. Denger and Mr. Winstead*  
3 *voted in favor of the motion. Mr. Kilborn and Mr. Jackson dissented. The motion passed.*

4  
5 **Contract Extension Request:**

- 6     • Newsletter Printing: Spectrum Printing & Graphics (1<sup>st</sup> of two one-year extensions)

7  
8 *Mr. Crockett moved to authorize the Village Manager to exercise the first of two (2) one-year*  
9 *option years to extend the contract between the Village and Spectrum Printing & Graphics for*  
10 *printing of the Village's newsletters. Mr. Denger seconded the motion. Ms. Baptiste, Mr.*  
11 *Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of*  
12 *the motion. The motion passed.*

13  
14 **Purchase Authorization Requests**

- 15  
16     • Mobile Data Computers/Terminals (in-cruiser mobile computers)

17  
18 *Mr. Crockett moved to authorize the Village Manager to issue a purchase order to Advanced*  
19 *Computer Concepts in the amount of \$8,326.98 for the purchase of three Panasonic Model CF-*  
20 *31 mobile computers through Montgomery County's IT Commodities Contract #734500006AF*  
21 *for use in the Village's three marked police cruisers. Mr. Denger seconded the motion. Ms.*  
22 *Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead*  
23 *voted in favor of the motion. The motion passed.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

**Board Discussion: Selection of a Date for the Board’s Regular Meeting in November**

*The Board voted unanimously agreed to hold the November Regular Board Meeting on Tuesday, November 13, 2012, due to the observance of the Veteran’s Day holiday on Monday, November 12.*

**Manager’s Report**

The Manager’s Report was circulated prior to the meeting. No action was taken by the Board.

*Mr. Denger moved to adjourn the meeting. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed. The open meeting adjourned at 9:33 p.m.*

---

Secretary, Chevy Chase Village Board of Managers

*Reviewed by: MWY, SD-C; 10/11/2012*